

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING JUDGE SUPREME CT. CASE NO. SC01-2670
CHARLES W. COPE; JQC
No.: 01-244,
_____ /

ORDER ON MOTIONS

This matter was considered on the various motions of the parties at a telephonic hearing on June 5, 2002. This case is scheduled for hearing on June 24, 2002, and this date is reconfirmed. Present during the hearing were the Respondent, Judge Charles Cope; counsel for Judge Cope, Mr. Robert Merkle; Special Counsel for the Investigative Panel, Mr. John Mills; and Mr. Louis Kwall who had moved to withdraw. The Motion to Withdraw is granted with the consent of Judge Cope.

The Motion for Summary Judgment by Judge Cope is hereby denied.

The various motions to dismiss by Judge Cope are denied but will be presented to the Hearing Panel for full panel review at the time the case is scheduled for trial.

The Motion to Compel Answers to the Third Set of Interrogatories is granted and Judge Cope shall answer these interrogatories within one week.

Special Counsel's Motion to Exclude Evidence of Alcoholism has been rendered moot because Judge Cope's counsel announced

that alcoholism will not be raised. Thus any medical records concerning alcoholism are excluded and the records in the file concerning this matter are sealed.

Special Counsel's Motion to Exclude Evidence of the Victim's Prior Sexual Acts and other similar evidence is reserved to be decided during the hearing.

Special Counsel's Motion to Exclude Polygraph Evidence is granted.

Motions by Judge Cope have been filed against actions of the Investigative Panel concerning other matters which are not the subject of formal charges. Motions concerning such unfiled charges are not within the jurisdiction of the Hearing Panel and should be directed to the Investigative Panel or possibly the Supreme Court.

A dispute between counsel arose concerning the deposition of Nina Vann Jeanes. This issue is reserved pending the filing of formal motions.

The parties are directed to file witness lists and exhibit

lists with objections at least one week before the hearing.

SO ORDERED this 17th day of June, 2002.

**FLORIDA JUDICIAL QUALIFICATIONS
COMMISSION**

By: 

JUDGE JAMES R. JORGENSON,
Chairman, Hearing Panel,
Florida Judicial Qualifications
Commission
1110 Thomasville Road
Tallahassee, Florida 32303
850/488-1581
850/922-6781 (fax)

Copies furnished in accordance with the attached list.

Robert W. Merkle
Counsel to the Judge
5510 West LaSalle Street
Tampa, FL 33607
(813) 281-9000
(813) 281-2223 (fax)

Louis Kwall
133 N. Ft. Harrison Avenue
Clearwater, FL 33755
(727) 441-4947
(727) 447-3158 (fax)

John S. Mills
Special Counsel
200 Laura Street
Jacksonville, FL 32201-0240
(904) 359-2000
(904) 359-8700 (fax)

Thomas C. MacDonald, Jr.
General Counsel
100 N. Tampa Street
Suite 2100
Tampa, Florida 33602
(813) 221-2500
(813) 226-8826 (fax)

John Beranek
Counsel to the Hearing Panel
Ausley & McMullen
P.O. Box 391
Tallahassee, Florida 32302
(850) 224-9115
(850) 222-7560 (fax)

Brooke Kennerly
Florida Judicial Qualifications
Commission
1110 Thomasville Road
Tallahassee, Florida 32303
(850) 488-1581
(850) 922-6781 (fax)